

**AN ORDINANCE PROHIBITING THE TRACKING OR DEPOSIT OF MUD  
OR OTHER DEBRIS ON FRANKLIN COUNTY HIGHWAYS/ROADWAYS**

WHEREAS, it is determined that, Franklin County, IN, is in need of a policy governing debris tracked onto county roadways and highways;

WHEREAS, the Franklin County Board of Commissioners (the "Commissioners") is authorized, under I.C. § 36-1-3, et seq., to adopt home rule ordinances in matters that do not abrogate state law

BE IT NOW ORDAINED by the Commissioners, that:

1. No person shall drive or move any vehicle on Franklin County Highways, including all roadways, alleys, or other public rights of way, the wheels, tires, frame, or chassis of which carry onto or deposit in any mud, dirt, sticky substances, litter or foreign matter of any kind ("Debris") onto such Franklin County Highways.
2. The Franklin County Sheriff shall provide a written warning to (1) the operator of any Vehicle depositing such Debris, (2) the owner of any Vehicle depositing such Debris, and/or (3) the landowner that is the source of such Debris, requiring cleanup and removal of such Debris within twenty-four (24) hours. The failure to completely cleanup and remove such Debris within twenty-four (24) hours shall constitute a violation of this ordinance.
3. (1) The operator of any Vehicle depositing such Debris, (2) the owner of any Vehicle depositing such Debris, and/or (3) the landowner that is the source of such Debris may each be held liable for any Violation hereunder.
4. Fines and penalties for violations of this ordinance:
  1. First violation - \$100.00;
  2. Second violation - \$250.00;
  3. Third and Subsequent Violations - \$500.00;
  4. Fines up to \$250.00 may be paid through the Franklin County Ordinance Violations Bureau, if such bureau exists, or may be contested in court.
  5. Court costs, as set by the state schedule, shall apply to all cases contested in court.
  6. All fines shall be deposited into the Franklin County General Fund.

**FILED****MAY 22 2018**


*Kyle J. Bauman*  
FRANKLIN COUNTY AUDITOR


*And...*

7. In addition, if the violator hereunder fails to remove any debris, mud, dirt, or other debris within twenty-four (24) hours and the Franklin County Highway Department or its contractor shall cause the removal, the cost incurred thereby shall be billed to the violator in writing, payable within 15 days.
5. Enforcement of this ordinance shall be conducted pursuant to I.C. § 34-28-5.
6. If any provision of this ordinance is found to conflict with Indiana state law or with federal law, all other portions shall remain in full force and effect.
7. This ordinance shall become effective on June 1, 2018, or upon the completion of all publication requirements, whichever is later.

BE IT NOW ORDAINED AND ADOPTED this 22<sup>nd</sup> day of May, 2018.

BOARD OF COUNTY COMMISSIONERS  
OF FRANKLIN COUNTY, INDIANA

  
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TOM WILSON

  
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TOM LINKEL

  
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ERIC ROBERTS

ATTEST:   
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KARLA BAUMAN, AUDITOR  
FRANKLIN COUNTY, INDIANA